producing semi-synthetic penicillin, we will see that the producers and the users of 6 APA are not punished or do not suffer. That is why we are importing sufficient quantity of 6 APA and supplying it to the manufacturers.

Overproduction of drugs

*366. SHRI MIRZA IRSHADBAIG: SHRIMATI MAIMOONA SULTAN: †

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to refer to the answer to Starred Question 182 given in the Rajya Sabha on the 13th May, 1985 and state:

(a) whether it is a fact that Hoechst has overproduced Pheniramine Maleate by installing unauthorised plant and machinery.

(b) whether it is a fact that the Company has not complied with the fair price fixed by Government;

(c) what is the price at which Searle is offering this drug;

(d) whether it is a fact that NDPDC have recommended Pheniramine Maleate for price decontrol;

(e) whether it is a fact that 'Avil' is a popular brand and price decontrol is against the consumer's interests;

(f) if so, what is the basis and justification for such a recommendation;

(g) what is the quantity of Chlorpheniramine Maleate imported by Pfizer and Glaxo during the last three years, year-wise, source of import and landed cost per kg. per consignment; and

(h) when was the price of different packs of Piriton and Corex Syrup fixed and what price of bulk drug was taken?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI VEERENDRA PATIL): (a) to (h) A Statement is laid on the Table of the Rajya Sabha.

†The question was actually asked on the floor of the House by Shrimati Moimoona Sultan.

Statement

(a) The production of M/s. Hoechst (India) Limited for Pheniramine Maleate is in excess of their licensed capacity, but, is within the overall capacity licensed to them for the production of bulk drugs in a multipurpose plant.

(b) The price of Pheniramine Maleate was fixed at Rs. 582.74 per kg. in December 1980 under the Drugs (Prices Control) Order, 1979. M/s. Hoechst (India) Limited filed a Writ Petition against the price as fixed by the Government in the Delhi High Court. The Delhi High Court have set aside the Government Order fixing the price of the bulk drug and consequential changes in that prices of formulations. Government have filed a Special Leave Petition against the judgement of the Delhi High Court in the Supreme Court of India and the same is coming up for hearing on 20th August, 1985.

(c) M/s. Searle (India) Limited are offering Pheniramine Maleate at the notified price.

(d) Yes, Sir.

(e) and (f) Medical Exports of the Steering Committee bearing in mind the criteria adopted by UNIDO for inclusion of drugs in the essential list, using the WHO list and the Hathi Committee list drew up the priority list. The National Drugs and Pharmaceuticals Development Council was of the view that price control should be confined to the priority list bulk drugs and related formulations only. Government has however, not taken any decision on the recommendations of the report of the National Drugs and Pharmaceuticals Development Council.

(g) Information is being collected.

(h) The price of the two formulations referred to was fixed in June, 1982 based on indigenous price of bulk drug of Rs. 747.37 per kg. fixed under Drugs (Prices Control) Order, 1979.

श्रीमती मैमूना सुल्तान : भाई साहब, आपसे गुजारिश है कि बहुत जवाब मत दीजिए क्योंकि वक्त कम है ।

In reply to Question No. 182 of 13th May 1985 the honourable Minister informed this House that the sales turnover of Avil based on this pheniramine maleate is Rs. 5 crores. May I know whether Avil has been omitted from the priority list and whether it is a fact that a top executive of Hoechst was a member of the Steering Committee of NDPDC? May I also know whether before coming to the House the Minister ascertained from the Joint Secretary who is also the official member-secretary of this Council as to why this medicine was recommended for price de-control?

SHRI VEERENDRA PATIL: In the priority list that is prepared by the NDPDC in their report, it is true that pheniramine maleate is not included, and I understand from the report that pheniramine maleate is not included because they have gone by WHO list. They have explained the position also which is here, that "Medical experts of the Steering Committee, bearing in mind the criteria adopted by UNIDO for inclusion of drugs in the essential list, using the WHO list and the Hathi Committee list, drew up the priority list." And I understand, Sir, that it is not included in the WHO List. That is why they have not included it in the Priority List also.

MR. CHAIRMAN: Yes, your second supplementary.

श्रीमती मैमूना सुल्तान : सर, पहले ही मैंने गुजारिश की थी बहुत ज्यादा तफसील में जवाब नहीं दीजिएगा । लेकिन खैर, मेरी [illegible] सप्लीमेंटरी—

In reply to Question No. 182 of 13th May 1985, Sir, the honourable Minister informed the House that the production by Hoechst of pheniramine maleate is 18.60 tonnes during 1984-85 as against the licensed capacity of 4 tonnes only. May I know what action has been taken against this multinational for the violation of the Industries (Development and Regulation) Act and for the unauthorised production of this drug and also against the erring officials also who are in charge of monitoring this?

SHRI VEERENDRA PATIL: Sir, it is true that as against the licensed capacity of 4 tonnes, Hoechst is manufacturing round about 12 to 18 tonnes. But Hoechst is not manufacturing only this drug, but it is also manufacturing 12 other drugs and, in all, 13 drugs they are manufacturing and they are manufacturing them in the multi-purpose plant. Therefore, if we take into consideration the licensed capacities of all the 13 drugs, then I can say that they have not exceeded the licensed capacity and I understand, Sir, that so far as production by Hoechst is concerned, in strict terms, Hoechst has not committed any offence under the Industries (Development and Regulation) Act. Only substantial expansion of capacity without authorisation is an offence and this is the position which I explained earlier. The overall licensed capacity is there and they are producing within that overall licensed capacity and they have not exceeded that.

MR. CHAIRMAN: Yes, Mr. D'Souza.

DR JOSEPH LEON D'SOUZA: The licensed capacity of 4 tonnes per annum was allowed for pheniramine maleate and what this Company produced in 1984-85 is 18.60 tonnes. This is in excess. An on-the-spot inspection and verification of installation and installed capacity was conducted by a special technical team. Will the honourable Minister give information as to what the findings were of this special inspection team?

SHRI VEERENDRA PATIL: It is true that a Technical Committee conducted a spot verification and they came out with four alternatives with regard to the installed capacity ranging from 223.5 tonnes to 302.7 tonnes and the total production is well within the capacity.

MR. CHAIRMAN: Yes, Shrimati Kailashpati.

श्रीमती कैलाशपति : सभापति महोदय, मैं माननीय मंत्री जी से जानना चाहता हूं कि कौन्सिल से बेनाड्रिल को प्रायरिटी लिस्ट से हटा दिया गया है और इसी कारण यह दवा दूसरी सूची में आ गई है; तो इससे दवा के मूल्य में कितनी वृद्धि हो जाएगी ?

श्री वीरेन्द्र पाटिल : नहीं, यह दवाइयों का मूल्य निर्धारित किया गया था, लेकिन पार्टी के कोर्ट मे जाने की वजह से, कोर्ट का जो आर्डर आया है, उसकी वजह से जो इसके लिए 582.7 प्रति किलोग्राम निर्धारित किया गया था, लेकिन उसके खिलाफ इस कंपनी ने दिल्ली हाई कोर्ट में पिटीशन की, उसकी वजह से दिल्ली हाई कोर्ट में हमारा आर्डर भी रद्द हो गया और अब हम सुप्रीम कोर्ट में गये हैं और सुप्रीम कोर्ट मे अभी कार्यवाही जारी है ।

Manufacture of drug by M/s Abbot .. . .. Labs.

*367. SHRIMATI MAIMOONA SULTAN:†

SHRI SURESH PACHOURI:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the formulations falling under categories I and II of Drugs Price Control Order, being manufactured by M/s. Abbot, the composition of each and the name of bulk drug on which each one is based;

(b) what was their sales turn over during the last three years, year-wise;

(c) what are the names of vitamin preparations and tonics being manufactured by this company, the composition and strength of each pack and what was the price fixed for each; and

(d) what was the total sales turn over of vitamin preparations and tonics of this company during the last three years, year-wise and their percentage of total sale?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI VEERENDRA PATIL): (a) to (d) A Statement is laid on the Table of the Rajya Sabha.

Statement

(a) M/s. Abbot Labs. (India) Ltd. are not manufacturing any formulations falling under Category I and Category II of the Drugs (Prices Control) Order, 1979.

(b) Does not arise.

(c) An annexure showing the Vitamin preparations manufactured by the Company, their composition and pack size and the price as approved is attached. M/s. Abbot Labs. (India) Ltd. filed a Writ Petition in the Bombay High Court against the prices as fixed by the Government and the Government Orders have been struck down. Action to refix the prices is on.

(d) Details of the sales turnover of Vitamin preparations including Tonics and the percentage of their sales to the total sales of the company during the last three years are given below:—

(Rs. lakhs)

Year	Total domestic sales of the Company	Domestic sales of Vitamins including Tonics	Percentage of sales of Vitamins and tonics with total sales
Ending 30th November, 1982	1241·01	643·46	51·85
Ending 30th November, 1983	1560·97	685·09	43·89
Ending 30th November, 1984	1559·33	605·37	38·82

†The question was actually asked on the floor of the House by Shrimati Maimoona Sultan.